

ESTTA Tracking number: **ESTTA741899**

Filing date: **04/22/2016**

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE
BEFORE THE TRADEMARK TRIAL AND APPEAL BOARD

Proceeding	92060029
Party	Defendant Melvin N.A. Avanzado DBA The Avanzado Law Firm
Correspondence Address	ELAINE W YU THE AVANZADO LAW FIRM 1880 CENTURY PARK E, STE 1404 LOS ANGELES, CA 90067 UNITED STATES elaine@avanzadolaw.com, mel@avanzadolaw.com
Submission	Other Motions/Papers
Filer's Name	Elaine Yu
Filer's e-mail	elaine@avanzadolaw.com
Signature	/Elaine Yu/
Date	04/22/2016
Attachments	Avanzado Declaration ISO SJ Exhibits 8-10 Only (FINAL).pdf(5947189 bytes)

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE
BEFORE THE TRADEMARK TRIAL AND APPEAL BOARD

JAHN & ASSOCIATES, LLC

Petitioner,

v.

MELVIN N.A. AVANZADO,

Registrant/Respondent.

CANCELLATION NO.: 92060029

MARK: BIG FIRM EXPERIENCE,
SMALL FIRM SERVICE
(Registration Number: 4015965)

Filing Date: February 1, 2011

*[Avanzado's Summary Judgment Motion,
Statement of Undisputed Facts, Request for
Judicial Notice, and Declaration of Kelly D.
Talcott filed concurrently herewith]*

EXHIBIT 8-10 TO THE DECLARATION OF MELVIN N.A. AVANZADO IN SUPPORT
OF AVANZADO'S MOTION FOR SUMMARY JUDGMENT

EXHIBIT 8

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE
BEFORE THE TRADEMARK TRIAL AND APPEAL BOARD

In the Matter of the Cancellation for Registration of: BIG FIRM EXPERIENCE, SMALL FIRM SERVICE; Registration Number: 4015965; Filing Date: February 1, 2011.

Jahn & Associates, LLC
Petitioner

v.

Melvin N.A. Avanzado
Respondent.

)
)
) **CANCELLATION NO 92060029**
)
) **PETITIONER'S RESPONSE**
) **TO RESPONDENT'S FIRST**
) **SET OF REQUESTS FOR**
) **PRODUCTION**

Pursuant to 37 C.F.R. § 2.120 and Rule 34 of the Federal Rules of Civil Procedure, Petitioner, hereby responds Respondent's First Set of Requests for Production of Documents as follows:

GENERAL OBJECTIONS

Petitioner makes the following General Objections in response to each Request for Production.

1. Petitioner objects to each Request to the extent it seeks or calls for information protected by the attorney-client privilege and or protected by the work-product doctrine, or subject to any other applicable privilege.

2. Petitioner objects to each Request to the extent it seeks information that is neither relevant nor reasonably calculated to lead to the discovery of admissible evidence.

3. Petitioner objects to each Request to the extent it purports to call for information not in their possession, custody or control.

4. Petitioner objects to the definition of “you” and “your” as being overbroad, unduly burdensome, vague and ambiguous.

5. Petitioner objects to each Request to the extent it seeks to impose requirements and/or obligations inconsistent with and in addition to, the Federal Rules of Civil Procedure, the Federal Rules of Evidence and/or Rules of this tribunal, and that are unduly burdensome and oppressive.

7. Discovery is continuing in this action. Petitioner reserves the right to supplement and amend its responses to these Requests based on, but not limited to, information subsequently discovered, inadvertently omitted, or mistakenly stated in these response.

RESPONSES TO REQUESTS FOR PRODUCTION

Request No. 1: All Documents that support Your contention in Your petition for cancellation that Avanzado’s Mark caused or causes “likelihood of confusion.”

RESPONSE: Petitioner objects to this request on the basis that it is overly broad and unduly burdensome. Subject to these objections, relevant, non-privileged, non-work product documents, if any exist, will be produced.

Request No. 2: All Documents that evidence Your practice of law in California.

RESPONSE: Petitioner objects to this request on the basis that it is overly broad, unduly burdensome, vague and ambiguous as to the term “practice of law.” Petitioner further objects to this request on the basis that it calls for information protected by the attorney- client privilege and/or attorney work product doctrine. Petitioner further objects to this request on the basis that it seeks information which is publically

available. Specifically, as Petitioner understands the request, Petitioner includes, the following cases which are publically available and were handled by Petitioner in California: SalesBrain et al v. Teligent et al, Case No. CV 13-00265 venued in the U.S. District Court, Northern District of California, San Francisco Division; SalesBrain v. Angelvision Technologies, Case No. CV Case No. CV 12-05026 LB venued in the U.S. District Court, Northern District of California, San Francisco Division; Atlantis Scientific v. Keyhole, Case No. CO2-03142 venued in the U.S. District Court, Northern District of California, Oakland Division. Subject to these objections, relevant, non-privileged, non-work product documents, if any exist, will be produced.

Request No. 3: All Documents that Evidence Your Representation of clients in California.

RESPONSE: Petitioner objects to this request on the basis that it is overly broad, unduly burdensome, vague and ambiguous as to the term "Representation of clients in California." Petitioner further objects to this request on the basis that it calls for information protected by the attorney- client privilege and/or attorney work product doctrine. Specifically, as Petitioner understands the request, Petitioner includes, the following cases which are publically available and were handled by Petitioner in California: SalesBrain et al v. Teligent et al, Case No. CV 13-00265 venued in the U.S. District Court, Northern District of California, San Francisco Division; SalesBrain v. Angelvision Technologies, Case No. CV Case No. CV 12-05026 LB venued in the U.S. District Court, Northern District of California, San Francisco Division; Atlantis Scientific v. Keyhole, Case No. CO2-03142 venued in the U.S. District Court, Northern District of California, Oakland Division. Subject to these objections, relevant, non-privileged, non-

work product documents, if any exist, will be produced.

Request No. 4: All documents that evidence individuals or clientele from Colorado seeking legal advice or representation from The Avanzado Law Firm.

RESPONSE: Petitioner objects to this request on the basis that it is overly broad, unduly burdensome, vague and ambiguous. Petitioner further objects to this request on the basis that it calls for information protected by the attorney- client privilege and/or attorney work product doctrine. Petitioner further objects to this request to the extent it seeks information within the knowledge of Respondent. Subject to these objections, relevant, non-privileged, non-work product documents, if any exist, will be produced.

Request No. 5: All Documents that evidence individuals or clientele from Nevada seeking legal advice or representation from The Avanzado Law Firm.

RESPONSE: Petitioner objects to this request on the basis that it is overly broad, unduly burdensome, vague and ambiguous. Petitioner further objects to this request on the basis that it calls for information protected by the attorney- client privilege and/or attorney work product doctrine. Petitioner further objects to this request to the extent it seeks information within the knowledge of Respondent. Subject to these objections, relevant, non-privileged, non-work product documents, if any exist, will be produced.

Request Nos. 6-7 MISSING.

Request No. 8: All Documents that evidence individuals or clientele from California seeking legal advice or representation from YOU.

RESPONSE: Petitioner objects to this request on the basis that it is overly broad, unduly burdensome, vague and ambiguous. Petitioner further objects to this request on the basis that it calls for information protected by the attorney- client privilege and/or

attorney work product doctrine. Petitioner further objects to this request on the basis that it seeks information which is publically available. Specifically, Petitioner references include, but are not limited to: SalesBrain et al v. Teligent et al, Case No. CV 13-00265 venued in the U.S. District Court, Northern District of California, San Francisco Division; SalesBrain v. Angelvision Technologies, Case No. CV Case No. CV 12-05026 LB venued in the U.S. District Court, Northern District of California, San Francisco Division; Atlantis Scientific v. Keyhole, Case No. CO2-03142 venued in the U.S. District Court, Northern District of California, Oakland Division. Subject to these objections, relevant, non-privileged, non-work product documents, if any exist, will be produced.

Request No. 9: All documents that reflect when You first learned of Avanzado's Mark.

RESPONSE: Petitioner objects to this request on the basis that it is overly broad, unduly burdensome, vague and ambiguous. Petitioner further objects to this request on the basis that it calls for information protected by the attorney- client privilege and/or attorney work product doctrine. Subject to these objections, relevant, non-privileged, non-work product documents, if any exist, will be produced.

Request No. 10: All Documents that reflect when you first learned of Avanzado's February 1, 2011 application for trademark registration of Avanzado's Mark.

RESPONSE: Petitioner objects to this request on the basis that it is overly broad, unduly burdensome, vague and ambiguous. Petitioner further objects to this request on the basis that it calls for information protected by the attorney- client privilege and/or attorney work product doctrine. Subject to these objections, relevant, non-privileged, non-work product documents, if any exist, will be produced.

Request No. 11: All documents that reflect when You first learned of Avanzado's Mark.

RESPONSE: Petitioner objects to this request on the basis that it is duplicative of Request No. 9 and incorporates the Response and objections set forth in to Request No 9 herein.

Request No. 12: All Documents that reflect or evidence the purported "confusion" between Avanzado's Mark and Plaintiff's Mark.

RESPONSE: Petitioner objects to this request to the extent it is duplicative of Request No. 1. Petitioner further objects on the basis that the request is overly broad, unduly burdensome, vague and ambiguous as to the terms "purported" and "confusion".

Petitioner further objects to this request on the basis that it calls for information protected by the attorney- client privilege and/or attorney work product doctrine. Subject to these objections, relevant, non-privileged, non-work product documents, if any exist, will be produced.

Request No. 13: All Documents consulted or referred to by You when responding to Avanzado's First Set of Requests for Interrogatories.

RESPONSE: Petitioner objects to this request on the basis that it is overly broad, unduly burdensome, vague and ambiguous as to "consulted" and "referred". Petitioner further objects to this request on the basis that it calls for information protected by the attorney- client privilege and/or attorney work product doctrine. Subject to these objections, relevant, non-privileged, non-work product documents, if any exist, will be produced.

Request No. 14: All Documents identified in Your Rule 26(a)(1) disclosures.

RESPONSE: Responsive documents will be produced.

Request No. 15: All Documents, other than those produced in response to any of the earlier request, upon which You intend to rely at trial.

RESPONSE: Petitioner objects to this request on the basis that Discovery is in its early stages and is not yet complete. Petitioner will produce documents Petitioner has currently in its possession responsive to this request. Petitioner reserves the right to supplement this response as discovery proceeds.

Request No. 16: All Documents which represent or contain each and every variation of use of Plaintiff's Mark used on or before October 31, 2001.

RESPONSE: Petitioner objects to this request on the basis that it is overly broad, unduly burdensome, vague and ambiguous. Thousands of documents are potentially responsive to this request. Petitioner further objects to this request on the basis that it calls for information protected by the attorney- client privilege and/or attorney work product doctrine.

Request No. 17: All Documents that refer or relate to Avanzado and/or the Avanzado Law Office.

RESPONSE: Petitioner objects to this request on the basis that it is overly broad, unduly burdensome, vague and ambiguous. Petitioner further objects to this request on the basis that it calls for information protected by the attorney- client privilege and/or attorney work product doctrine. Subject to these objections, relevant, non-privileged, non-work product documents, if any exist, will be produced.

Request No. 18: All Documents reflecting or referring to the conception, selection, design or approval of Plaintiff's Mark.

RESPONSE: Petitioner objects to this request on the basis that it is overly broad,

unduly burdensome, vague and ambiguous. Petitioner further objects to this request on the basis that it calls for information protected by the attorney-client privilege and/or attorney work product doctrine. Subject to these objections, relevant, non-privileged, non-work product documents, if any exist, will be produced.

Request No. 19: All Documents and things reflecting or referring to Plaintiff's trademark search results relating or referring to Plaintiff's Mark, or portions thereof.

RESPONSE: Petitioner objects to this request on the basis that it is overly broad, unduly burdensome, vague and ambiguous. Petitioner further objects to this request on the basis that it calls for information protected by the attorney-client privilege and/or attorney work product doctrine. Subject to these objections, relevant, non-privileged, non-work product documents, if any exist, will be produced.

Request No 20: All Documents and things referring or relating to or showing any possibility of confusion, mistake or deception as to the affiliation with, sponsorship of or association between Plaintiff and Avanzado since March 1, 2009.

RESPONSE: Petitioner objects to this request on the basis that it is overly broad, unduly burdensome, vague and ambiguous. Petitioner further objects to this request on the basis that it calls for information protected by the attorney- client privilege and/or attorney work product doctrine. Petitioner further objects to this request because Respondent has admitted that it/he did not use the Avanzado Mark until well after March 1, 2009. Subject to these objections, relevant, non-privileged, non-work product documents, if any exist, will be produced.

Request No. 21: All Documents referring to, supporting, or relating to Plaintiff's awareness or knowledge of, or information about, AVANZADO's Mark.

RESPONSE: Petitioner objects to this request on the basis that it is duplicative, overly broad, unduly burdensome, vague and ambiguous. Petitioner further objects to this request on the basis that it calls for information protected by the attorney- client privilege and/or attorney work product doctrine. Subject to these objections, relevant, non-privileged, non-work product documents, if any exist, will be produced.

Request No. 22: All Documents constituting or relating or referring to any opinion relating to or containing Plaintiff's Mark.

RESPONSE: Petitioner objects to this request on the basis that it is is overly broad, unduly burdensome, vague and ambiguous. Petitioner further objects to this request on the basis that it calls for information protected by the attorney- client privilege and/or attorney work product doctrine. Subject to these objections, relevant, non-privileged, non-work product documents, if any exist, will be produced.

Request No. 23: All Documents, other than those produced in response to any of the earlier requests, upon which YOU intend to reply at trial.

RESPONSE: Petitioner objects to this request on the basis that it is. Petitioner further objects to this request on the basis that it calls for information protected by the attorney- client privilege and/or attorney work product doctrine. Subject to these objections, relevant, non-privileged, non-work product documents, if any exist, will be produced.

Request No. 24: All Documents concerning Plaintiff's target market.

RESPONSE: Petitioner objects to this request on the basis that it is overly broad, unduly burdensome, vague and ambiguous as to "target market". Petitioner further objects to this request on the basis that it calls for information protected by the attorney- client privilege and/or attorney work product doctrine. Subject to these objections,

relevant, non-privileged, non-work product documents, if any exist, will be produced.

Request No. 25: All Documents concerning Plaintiff's market share.

RESPONSE: Petitioner objects to this request on the basis that it is is overly broad, unduly burdensome, vague and ambiguous. Petitioner further objects to this request on the basis that it calls for information protected by the attorney- client privilege and/or attorney work product doctrine. Subject to these objections, relevant, non-privileged, non-work product documents, if any exist, will be produced.

Request No. 26: All Documents, other than those produced in response to any of the earlier requests, upon which YOU intend to rely at trial.

RESPONSE: Petitioner objects to this request on the basis that it is is overly broad, unduly burdensome, vague and ambiguous. Petitioner further objects to this request on the basis that it calls for information protected by the attorney- client privilege and/or attorney work product doctrine. Subject to these objections, relevant, non-privileged, non-work product documents, if any exist, will be produced.

Request No. 27: All Documents which refer or relate to Avanzado's Mark.

RESPONSE: Petitioner objects to this request on the basis that it is duplicative, overly broad, unduly burdensome, vague and ambiguous. Petitioner further objects to this request on the basis that it calls for information protected by the attorney- client privilege and/or attorney work product doctrine. Subject to these objections, relevant, non-privileged, non-work product documents, if any exist, will be produced.

Request No. 28: All Documents, including correspondence iwth third parties, which relate or refer to Avanzado or Avanzado's Mark.

RESPONSE: Petitioner objects to this request on the basis that it is is overly broad,

unduly burdensome, vague and ambiguous. Petitioner further objects to this request on the basis that it calls for information protected by the attorney- client privilege and/or attorney work product doctrine. Subject to these objections, relevant, non-privileged, non-work product documents, if any exist, will be produced.

Request No. 29: All Documents and things relating or referring to Avanzado and/or this proceeding, including internal and third party communications.

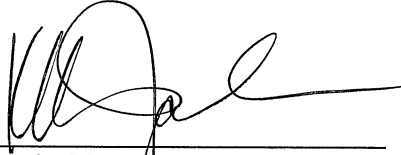
RESPONSE: Petitioner objects to this request on the basis that it is is overly broad, unduly burdensome, vague and ambiguous. Petitioner further objects to this request on the basis that it calls for information protected by the attorney- client privilege and/or attorney work product doctrine. Subject to these objections, relevant, non-privileged, non-work product documents, if any exist, will be produced.

Request No. 30: All Documents consisting of or concerning an opinion or report of any consultants and/or experts retained by or on behalf of Plaintiff in connection with any of the issues involved in this case.

RESPONSE: Petitioner objects to this request on the basis that it calls for information protected by the attorney- client privilege and/or attorney work product doctrine. Expert disclosures, if any, will be made on the date set forth in the scheduling order for such disclosure.

Dated: March 9, 2015

JAHN & ASSOCIATES, LLC



Kirstin M. Jahn
Petitioner

CERTIFICATE OF MAILING

I hereby certify that this correspondence is being deposited on March 9, 2015 by
United States Post Office with sufficient postage as first-class mail in an envelope
addressed to:

Melvin N.A. Avanzado
1880 Century Park East
Suite 1100
Los Angeles, CA 90067

A handwritten signature in black ink, appearing to read 'Kirstin M. Jahn', written over a horizontal line.

Kirstin M. Jahn

Trademark/Service Mark Application, Principal Register

Serial Number: 77613824

Filing Date: 11/13/2008

The table below presents the data as entered.

Input Field	Entered
SERIAL NUMBER	77613824
MARK INFORMATION	
*MARK	SMALL FIRM, BIG EXPERIENCE
STANDARD CHARACTERS	YES
USPTO-GENERATED IMAGE	YES
LITERAL ELEMENT	SMALL FIRM, BIG EXPERIENCE
MARK STATEMENT	The mark consists of standard characters, without claim to any particular font, style, size, or color.
REGISTER	Principal
APPLICANT INFORMATION	
*OWNER OF MARK	Jahn & Associates, LLC
*STREET	1942 Broadway Suite 314
*CITY	Boulder
*STATE (Required for U.S. applicants)	Colorado
*COUNTRY	United States
*ZIP/POSTAL CODE (Required for U.S. applicants only)	80302
LEGAL ENTITY INFORMATION	
TYPE	corporation

STATE/COUNTRY OF INCORPORATION	Nevada
GOODS AND/OR SERVICES AND BASIS INFORMATION	
* INTERNATIONAL CLASS	
* IDENTIFICATION	Legal services.
FILING BASIS	SECTION 1(a)
FIRST USE ANYWHERE DATE	At least as early as 10/31/2001
FIRST USE IN COMMERCE DATE	At least as early as 10/31/2001
SPECIMEN FILE NAME(S)	
ORIGINAL PDF FILE	spec-7123794224-150407333_._Flyer.pdf
CONVERTED PDF FILE(S) (2 pages)	\\TICRS\EXPORT4\IMAGEOUT4\776\138\77613824\xml1\APP0003.JPG
	\\TICRS\EXPORT4\IMAGEOUT4\776\138\77613824\xml1\APP0004.JPG
SPECIMEN DESCRIPTION	Use of mark in connection with services
ATTORNEY INFORMATION	
NAME	Kirstin M. Jahn
FIRM NAME	Jahn & Associates, LLC
STREET	1942 Broadway
INTERNAL ADDRESS	Suite 314
CITY	Boulder
STATE	Colorado
COUNTRY	United States
ZIP/POSTAL CODE	80302
PHONE	303-545-5128
EMAIL ADDRESS	Kirstin@kmjlaw.com
AUTHORIZED TO	

COMMUNICATE VIA EMAIL	Yes
CORRESPONDENCE INFORMATION	
NAME	Kirstin M. Jahn
FIRM NAME	Jahn & Associates, LLC
STREET	1942 Broadway
INTERNAL ADDRESS	Suite 314
CITY	Boulder
STATE	Colorado
COUNTRY	United States
ZIP/POSTAL CODE	80302
PHONE	303-545-5128
EMAIL ADDRESS	Kirstin@kmjlaw.com
AUTHORIZED TO COMMUNICATE VIA EMAIL	Yes
FEE INFORMATION	
NUMBER OF CLASSES	1
FEE PER CLASS	325
*TOTAL FEE DUE	325
*TOTAL FEE PAID	325
SIGNATURE INFORMATION	
SIGNATURE	/kmj/
SIGNATORY'S NAME	Kirstin M. Jahn
SIGNATORY'S POSITION	Owner
DATE SIGNED	11/13/2008

Trademark/Service Mark Application, Principal Register

Serial Number: 77613824

Filing Date: 11/13/2008

To the Commissioner for Trademarks:

MARK: SMALL FIRM, BIG EXPERIENCE (Standard Characters, see [mark](#))

The literal element of the mark consists of SMALL FIRM, BIG EXPERIENCE.

The mark consists of standard characters, without claim to any particular font, style, size, or color.

The applicant, Jahn & Associates, LLC, a corporation of Nevada, having an address of

1942 Broadway Suite 314

Boulder, Colorado 80302

United States

requests registration of the trademark/service mark identified above in the United States Patent and Trademark Office on the Principal Register established by the Act of July 5, 1946 (15 U.S.C. Section 1051 et seq.), as amended.

International Class ____: Legal services.

Use in Commerce: The applicant is using the mark in commerce, or the applicant's related company or licensee is using the mark in commerce, or the applicant's predecessor in interest used the mark in commerce, on or in connection with the identified goods and/or services. 15 U.S.C. Section 1051(a), as amended.

In International Class ____, the mark was first used at least as early as 10/31/2001, and first used in commerce at least as early as 10/31/2001, and is now in use in such commerce. The applicant is submitting one specimen(s) showing the mark as used in commerce on or in connection with any item in the class of listed goods and/or services, consisting of a(n) Use of mark in connection with services.

Original PDF file:

[spec-7123794224-150407333_.Flyer.pdf](#)

Converted PDF file(s) (2 pages)

[Specimen File1](#)

[Specimen File2](#)

The applicant hereby appoints Kirstin M. Jahn of Jahn & Associates, LLC

Suite 314

1942 Broadway

Boulder, Colorado 80302

United States

to submit this application on behalf of the applicant.

Correspondence Information: Kirstin M. Jahn

Suite 314
1942 Broadway
Boulder, Colorado 80302
303-545-5128(phone)
Kirstin@kmjlaw.com (authorized)

A fee payment in the amount of \$325 has been submitted with the application, representing payment for 1 class(es).

Declaration

The undersigned, being hereby warned that willful false statements and the like so made are punishable by fine or imprisonment, or both, under 18 U.S.C. Section 1001, and that such willful false statements, and the like, may jeopardize the validity of the application or any resulting registration, declares that he/she is properly authorized to execute this application on behalf of the applicant; he/she believes the applicant to be the owner of the trademark/service mark sought to be registered, or, if the application is being filed under 15 U.S.C. Section 1051(b), he/she believes applicant to be entitled to use such mark in commerce; to the best of his/her knowledge and belief no other person, firm, corporation, or association has the right to use the mark in commerce, either in the identical form thereof or in such near resemblance thereto as to be likely, when used on or in connection with the goods/services of such other person, to cause confusion, or to cause mistake, or to deceive; and that all statements made of his/her own knowledge are true; and that all statements made on information and belief are believed to be true.

Signature: /kmj/ Date Signed: 11/13/2008
Signatory's Name: Kirstin M. Jahn
Signatory's Position: Owner

RAM Sale Number: 340
RAM Accounting Date: 11/14/2008

Serial Number: 77613824
Internet Transmission Date: Thu Nov 13 15:14:02 EST 2008
TEAS Stamp: USPTO/BAS-71.237.94.224-2008111315140280
0785-77613824-400bef623e2ad5d219d82aa4f8
c57e36e67-CC-340-20081113150407333427

SMALL FIRM, BIG EXPERIENCE

JAHN & ASSOCIATES

SMALL FIRM, *BIG EXPERIENCE*™

Patent

Trademark

Copyright

Law

Do you know the difference between a trademark and a trade name?

What about a common law trademark and a federal trademark? If you've answered 'no' or even 'sort of' then you're like countless business owners and managers. But don't worry! Working through this handout will help you become comfortable with this differentiation. What's more, you'll have a clear picture of your next steps toward protecting your business, brand and product names.

The case history below describes events that hundreds of businesses have experienced. Most important, it outlines a serious reality about intellectual property: without the proper trademark registration in place, the hard work that folks like you invest in your dreams and ideas can be jeopardized.

Case History

Purple Sun, Inc.

In 1995, Bob and Linda Jones founded Purple Sun, Inc. and began making Purple Sun Lemonade. By their measure, success came quickly. Deep roots in the local natural foods industry helped to get their product into stores quickly. Several great employees and a little luck didn't hurt, either.

By 1999, they had 23 employees and Purple Sun Lemonade was a favorite in stores all over Boulder and the surrounding area. So good was their lemonade that they regularly fielded calls from folks who had tried it out while visiting Boulder. Again and again they heard, "When are you going to sell your lemonade in our area?"

Being astute entrepreneurs, they soon realized two things. Without really trying they had developed a quality brand whose reputation had grown beyond their home turf. If they wanted to expand their business to match the growth of their reputation, now was the time.

The dream of growing their business spread like wildfire through the company. Soon Bob and Linda were strategizing on how to make it happen. They negotiated with distributors, mapped out production and planned a national ad campaign. Then Bob asked a simple question. "What about a trademark - shouldn't we have one?"

"Isn't that what we got when we applied for our trade name," was Linda's reply. By now you've probably guessed the answer. After a quick search they discovered that in 1997, another company had filed a federal trademark application for Purple Sun Lemonade. All Bob and Linda "owned" were common law rights in the Purple Sun trademark and a trade name. Suddenly the founders of Purple Sun, Inc. were faced with a hard decision: go national by changing their product name - and in the process losing the brand recognition entrenched in their home territory - or scrap their expansion plans. Could this have been prevented? The answer is **YES**.

JAHN & ASSOCIATES

SMALL FIRM. BIG EXPERIENCE™

In Plain English

Trademark: A trademark identifies and protects a specific product or service. A good way to think about a trademark is that it is an *adjective* (identifier) modifying a *noun* (product or service).

Examples are *Purple Sun* lemonade, *Apple* computers, and *Pepsi* cola.

Common Law Trademarks: A trademark can be used without obtaining a federal or state registration. This is known as "common law" use of a trademark and is often noted by the ™ symbol. It protects a product according to where and when the mark is first used.

Purple Sun, Inc. had a common law mark that protected use of their product within the Boulder Valley area. Since a federal mark for the same name belonged to another company, Bob and Linda were limited to using the mark within their home territory.

Trade Name: A trade name is the name applied for, through the state, that is needed to conduct business in the state.

When Bob and Linda began Purple Sun, Inc. they received a **trade name** through the tax division of the state of Colorado - they did not receive a trademark.

Federal Trademark Registration: A United States trademark registration - designated by the superscript ® - provides the owner with the right to use the mark with their product or service. These rights apply to use within the United States and its territories for a period of ten years. The owner has rights to renew the mark so long as it remains in continuous use in interstate commerce.

The exception to this is highlighted by the Purple Sun case history. The competitor that filed the federal mark for the same name gained rights to use it in all places except for Boulder and the surrounding area.

Small Firm, Big Experience

With locations in Reno, Nevada and Boulder, Colorado, Jahn & Associates is a boutique firm focused exclusively on intellectual property law. Although many firms include this specialty in their list of practice areas, very few can claim it as a sole concentration.

Jahn & Associates draws upon a decade of experience that began with general practice, including civil litigation, corporate and securities law. Today, their concentration on intellectual property law includes patents, trademarks, copyrights and trade secrets. The firm has been kept small, which makes a lot of sense when their clients sit down to consult with them. It isn't only that one-on-one conversations include the unique perspectives of the small business. It's that, on a day-to-day basis, Jahn & Associates is a small firm drawing upon big experience. For their clients - and folks like you - this means big value with a small price tag.

Kirstin M. Jahn, Attorney at Law

In 1997, Kirstin Jahn founded Jahn & Associates and dedicated herself to serving the intellectual property needs of small and medium-sized organizations. After ten years of practicing law, she runs a practice that emphasizes quality and efficiency. No matter is too large or small. With associates in firms all around the globe, she has successfully served clients' needs domestically and internationally. Experience has shown Kirstin that clients often prefer a peaceful resolution to disputes and she makes every effort to negotiate successfully before engaging in litigation. Because she focuses her practice solely on intellectual property, a conflict of interest rarely arises between her firm and an organization's corporate representation. In fact, in the majority of these situations the two firms work together toward a resolution to meet the needs of their joint client.

For further information regarding your trademark and other intellectual property needs, please call Jahn & Associates at (303)545-5128 in Boulder, Colorado or (775)329-2282 in Reno, Nevada. You can discover more about her firm on the web at www.kmjlaw.com.



Colorado | 1942 Broadway, Suite 510
Boulder, Colorado 80302
tel (303)545.5128
fax (303)545.5196

Nevada | 565 California Avenue
Reno, Nevada 89509
tel (775)329.2282
fax (775)348.7977

To: Jahn & Associates, LLC (Kirstin@kmjlaw.com)
Subject: TRADEMARK APPLICATION NO. 77613824 - SMALL FIRM, BIG EXPE - N/A
Sent: 2/13/2009 3:38:07 PM
Sent As: ECOM114@USPTO.GOV
Attachments:

UNITED STATES PATENT AND TRADEMARK OFFICE

SERIAL NO: 77/613824

MARK: SMALL FIRM, BIG EXPE

77613824

CORRESPONDENT ADDRESS:

KIRSTIN M. JAHN
JAHN & ASSOCIATES, LLC
1942 BROADWAY
SUITE 314
BOULDER, CO 80302

RESPOND TO THIS ACTION:

<http://www.uspto.gov/teas/eTEASpageD.htm>

GENERAL TRADEMARK INFORMATION:

<http://www.uspto.gov/main/trademarks.htm>

APPLICANT: Jahn & Associates, LLC

CORRESPONDENT'S REFERENCE/DOCKET

NO:

N/A

CORRESPONDENT E-MAIL ADDRESS:

Kirstin@kmjlaw.com

OFFICE ACTION

TO AVOID ABANDONMENT, THE OFFICE MUST RECEIVE A PROPER RESPONSE TO THIS OFFICE ACTION WITHIN 6 MONTHS OF THE ISSUE/MAILING DATE.

ISSUE/MAILING DATE: 2/13/2009

The referenced application has been reviewed by the assigned trademark examining attorney. Applicant must respond timely and completely to the issue(s) below. 15 U.S.C. §1062(b); 37 C.F.R. §§2.62, 2.65(a); TMEP §§711, 718.03.

No Conflicting Marks

The Office records have been searched and there are no similar registered or pending marks that would bar registration under Trademark Act Section 2(d), 15 U.S.C. §1052(d). TMEP §704.02.

Entity of Applicant

The designation “LLC” is included in applicant’s name, but the entity type is set forth as a “corporation.” Generally, “LLC” identifies a “limited liability company,” and not a corporation. Therefore, applicant must specify whether it is a limited liability company or a corporation and amend the application accordingly. TMEP §803.03(h).

If applicant is a limited liability company, the U.S. state under whose laws it is organized must be stated. *Id.*

If, in response to the above request, applicant provides information indicating that it is not the owner of the mark, registration will be refused under Trademark Act Section 1 because the application was void as filed. An application must be filed by the owner of the mark. 15 U.S.C. §1051; 37 C.F.R. §2.71(d); TMEP §§803.01, 803.06.

Response

There is no required format or form for responding to this Office action. The Office recommends applicants use the Trademark Electronic Application System (TEAS) to respond to Office actions online at <http://www.uspto.gov/teas/index.html>. However, if applicant responds on paper via regular mail, the response should include the following information: (1) the name and law office number of the examining attorney; (2) the serial number of this application; (3) the mailing date of this Office action; and (4) applicant's telephone number.

The response should address each refusal and/or requirement raised in the Office action. If a refusal has issued, applicant may wish to argue against the refusal, i.e., submit arguments and/or evidence as to why the refusal should be withdrawn and why the mark should register. To respond to requirements, applicant should simply set forth in writing the required changes or statements and request that the Office enter them into the application record.

Applicant is encouraged to telephone the assigned trademark examining attorney to resolve the issues raised in this Office action.

/Brian Neville/
Trademark Examining Attorney
Law Office 114
(571) 272 – 9203

RESPOND TO THIS ACTION: Applicant should file a response to this Office action online using the form at <http://www.uspto.gov/teas/eTEASpageD.htm>, waiting 48-72 hours if applicant received notification of the Office action via e-mail. For *technical* assistance with the form, please e-mail

TEAS@uspto.gov. For questions about the Office action itself, please contact the assigned examining attorney. **Do not respond to this Office action by e-mail; the USPTO does not accept e-mailed responses.**

If responding by paper mail, please include the following information: the application serial number, the mark, the filing date and the name, title/position, telephone number and e-mail address of the person signing the response. Please use the following address: Commissioner for Trademarks, P.O. Box 1451, Alexandria, VA 22313-1451.

STATUS CHECK: Check the status of the application at least once every six months from the initial filing date using the USPTO Trademark Applications and Registrations Retrieval (TARR) online system at <http://tarr.uspto.gov>. When conducting an online status check, print and maintain a copy of the complete TARR screen. If the status of your application has not changed for more than six months, please contact the assigned examining attorney.

To: Jahn & Associates, LLC (Kirstin@kmjlaw.com)
Subject: TRADEMARK APPLICATION NO. 77613824 - SMALL FIRM, BIG EXPE - N/A
Sent: 2/13/2009 3:38:10 PM
Sent As: ECOM114@USPTO.GOV
Attachments:

IMPORTANT NOTICE
USPTO OFFICE ACTION HAS ISSUED ON 2/13/2009 FOR
APPLICATION SERIAL NO. 77613824

Please follow the instructions below to continue the prosecution of your application:

VIEW OFFICE ACTION: Click on this link http://tportal.uspto.gov/external/portal/tow?DDA=Y&serial_number=77613824&doc_type=OOA& (or copy and paste this URL into the address field of your browser), or visit <http://tportal.uspto.gov/external/portal/tow> and enter the application serial number to access the Office action.

PLEASE NOTE: The Office action may not be immediately available but will be viewable within 24 hours of this notification.

RESPONSE MAY BE REQUIRED: You should carefully review the Office action to determine (1) if a response is required; (2) how to respond; and (3) the applicable response time period. Your response deadline will be calculated from **2/13/2009**.

Do NOT hit "Reply" to this e-mail notification, or otherwise attempt to e-mail your response, as the USPTO does NOT accept e-mailed responses. Instead, the USPTO recommends that you respond online using the Trademark Electronic Application System response form at <http://www.uspto.gov/teas/eTEASpageD.htm>.

HELP: For *technical* assistance in accessing the Office action, please e-mail TDR@uspto.gov. Please contact the assigned examining attorney with questions about the Office action.

WARNING

- 1. The USPTO will NOT send a separate e-mail with the Office action attached.**
- 2. Failure to file any required response by the applicable deadline will result in the ABANDONMENT of your application.**

To: Jahn & Associates, LLC (Kirstin@kmjlaw.com)
Subject: TRADEMARK APPLICATION NO. 77613824 - SMALL FIRM, BIG EXPE - N/A
Sent: 2/13/2009 3:51:46 PM
Sent As: ECOM114@USPTO.GOV
Attachments:

UNITED STATES PATENT AND TRADEMARK OFFICE

SERIAL NO: 77/613824

MARK: SMALL FIRM, BIG EXPE

77613824

CORRESPONDENT ADDRESS:

KIRSTIN M. JAHN
JAHN & ASSOCIATES, LLC
1942 BROADWAY
SUITE 314
BOULDER, CO 80302

GENERAL TRADEMARK INFORMATION:

<http://www.uspto.gov/main/trademarks.htm>

APPLICANT: Jahn & Associates, LLC

CORRESPONDENT'S REFERENCE/DOCKET

NO: N/A

CORRESPONDENT E-MAIL ADDRESS:

Kirstin@kmjlaw.com

EXAMINER'S AMENDMENT

ISSUE/MAILING DATE: 2/13/2009

OFFICE SEARCH: The examining attorney has searched the Office's database of registered and pending marks and has found no conflicting marks that would bar registration under Trademark Act Section 2(d). 15 U.S.C. §1052(d); TMEP §704.02.

AMENDMENT: In accordance with the authorization granted by KIRSTIN M. JAHN on February 13, 2009, the application has been AMENDED as indicated below. Please advise the undersigned examining attorney immediately if there is an objection to the amendment. Otherwise, no response is necessary. TMEP §707.

If the identification of goods and/or services has been amended, please note that any future amendments must be in accordance with 37 C.F.R. §2.71(a) and TMEP §1402.07(e).

Entity of Applicant

The applicant is a Nevada limited liability company.

/Brian Neville/
Trademark Examining Attorney
Law Office 114
(571) 272 – 9203

STATUS CHECK: Check the status of the application at least once every six months from the initial filing date using the USPTO Trademark Applications and Registrations Retrieval (TARR) online system at <http://tarr.uspto.gov>. When conducting an online status check, print and maintain a copy of the complete TARR screen. If the status of your application has not changed for more than six months, please contact the assigned examining attorney.

To: Jahn & Associates, LLC (Kirstin@kmjlaw.com)
Subject: TRADEMARK APPLICATION NO. 77613824 - SMALL FIRM, BIG EXPE - N/A
Sent: 2/13/2009 3:51:49 PM
Sent As: ECOM114@USPTO.GOV
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WARNING

- 1. The USPTO will NOT send a separate e-mail with the Office action attached.**
- 2. Failure to file any required response by the applicable deadline will result in the ABANDONMENT of your application.**

Int. Cl.: 45

Prior U.S. Cls.: 100 and 101

Reg. No. 3,642,830

United States Patent and Trademark Office

Registered June 23, 2009

**SERVICE MARK
PRINCIPAL REGISTER**

SMALL FIRM, BIG EXPERIENCE

JAHN & ASSOCIATES, LLC (NEVADA LIMITED
LIABILITY COMPANY)
1942 BROADWAY SUITE 314
BOULDER, CO 80302

THE MARK CONSISTS OF STANDARD CHAR-
ACTERS WITHOUT CLAIM TO ANY PARTICULAR
FONT, STYLE, SIZE, OR COLOR.

FOR: LEGAL SERVICES, IN CLASS 45 (U.S. CLS.
100 AND 101).

SER. NO. 77-613,824, FILED 11-13-2008.

FIRST USE 10-31-2001; IN COMMERCE 10-31-2001.

BRIAN NEVILLE, EXAMINING ATTORNEY

Trademark/Service Mark Application, Principal Register

TEAS Plus Application

Serial Number: 85231879

Filing Date: 02/01/2011

*NOTE: Data fields with the * are mandatory under TEAS Plus. The wording "(if applicable)" appears where the field is only mandatory under the facts of the particular application.*

The table below presents the data as entered.

Input Field	Entered
TEAS Plus	YES
MARK INFORMATION	
*MARK	BIG FIRM EXPERIENCE...SMALL FIRM SERVICE
*STANDARD CHARACTERS	YES
USPTO-GENERATED IMAGE	YES
LITERAL ELEMENT	BIG FIRM EXPERIENCE...SMALL FIRM SERVICE
*MARK STATEMENT	The mark consists of standard characters, without claim to any particular font, style, size, or color.
REGISTER	Principal
APPLICANT INFORMATION	
*OWNER OF MARK	Melvin N.A. Avanzado
DBA/AKA/TA/FORMERLY	DBA The Avanzado Law Firm
*STREET	1880 Century Park East; Suite 1404
*CITY	Los Angeles
*STATE (Required for U.S. applicants)	California
*COUNTRY	United States
*ZIP/POSTAL CODE	

(Required for U.S. applicants only)	90067
PHONE	310.552.9300
FAX	310.388.5330
EMAIL ADDRESS	mel@avanzadolaw.com
WEBSITE ADDRESS	www.avanzadolaw.com
LEGAL ENTITY INFORMATION	
*TYPE	SOLE PROPRIETORSHIP
* STATE/COUNTRY WHERE LEGALLY ORGANIZED	California
NAME OF INDIVIDUAL & CITIZENSHIP	Melvin N.A. Avanzado - U.S. Citizen
GOODS AND/OR SERVICES AND BASIS INFORMATION	
* INTERNATIONAL CLASS	045
IDENTIFICATION	Litigation services
*FILING BASIS	SECTION 1(a)
FIRST USE ANYWHERE DATE	At least as early as 03/01/2008
FIRST USE IN COMMERCE DATE	At least as early as 03/01/2008
SPECIMEN FILE NAME(S)	\\TICRS\EXPORT11\IMAGEOUT11\852\318\85231879\xml1\FTK0003.JPG
SPECIMEN DESCRIPTION	Screen Capture from website where mark is featured in yellow type at the bottom of large picture
ADDITIONAL STATEMENTS INFORMATION	
*TRANSLATION (if applicable)	
*TRANSLITERATION (if applicable)	
*CLAIMED PRIOR REGISTRATION (if applicable)	
*CONSENT (NAME/LIKENESS) (if applicable)	
*CONCURRENT USE CLAIM (if applicable)	
ATTORNEY INFORMATION	
NAME	Glenn Truitt
FIRM NAME	MyContractsGuy.com

STREET	PO Box 515381 #55395
CITY	Los Angeles
STATE	California
COUNTRY	United States
ZIP/POSTAL CODE	90051-6681
PHONE	310-403-0417
FAX	323-576-4555
EMAIL ADDRESS	glenn@mycontractsguy.com
AUTHORIZED TO COMMUNICATE VIA EMAIL	Yes
CORRESPONDENCE INFORMATION	
*NAME	Glenn Truitt
FIRM NAME	MyContractsGuy.com
*STREET	PO Box 515381 #55395
*CITY	Los Angeles
*STATE (Required for U.S. applicants)	California
*COUNTRY	United States
*ZIP/POSTAL CODE	90051-6681
PHONE	310-403-0417
FAX	323-576-4555
*EMAIL ADDRESS	glenn@mycontractsguy.com
*AUTHORIZED TO COMMUNICATE VIA EMAIL	Yes
FEE INFORMATION	
NUMBER OF CLASSES	1
FEE PER CLASS	275
*TOTAL FEE PAID	275
SIGNATURE INFORMATION	
* SIGNATURE	/Glenn H Truitt/
* SIGNATORY'S NAME	Glenn H Truitt
* SIGNATORY'S POSITION	Attorney of record, California bar member
* DATE SIGNED	02/01/2011



Trademark/Service Mark Application, Principal Register

TEAS Plus Application

Serial Number: 85231879

Filing Date: 02/01/2011

To the Commissioner for Trademarks:

MARK: BIG FIRM EXPERIENCE...SMALL FIRM SERVICE (Standard Characters, see [mark](#))

The literal element of the mark consists of BIG FIRM EXPERIENCE...SMALL FIRM SERVICE.

The mark consists of standard characters, without claim to any particular font, style, size, or color.

The applicant, Melvin N.A. Avanzado, DBA The Avanzado Law Firm, a sole proprietorship legally organized under the laws of California, comprising of Melvin N.A. Avanzado - U.S. Citizen, having an address of

1880 Century Park East; Suite 1404

Los Angeles, California 90067

United States

requests registration of the trademark/service mark identified above in the United States Patent and Trademark Office on the Principal Register established by the Act of July 5, 1946 (15 U.S.C. Section 1051 et seq.), as amended, for the following:

For specific filing basis information for each item, you must view the display within the Input Table.

International Class 045: Litigation services

In International Class 045, the mark was first used at least as early as 03/01/2008, and first used in commerce at least as early as 03/01/2008, and is now in use in such commerce. The applicant is submitting one specimen(s) showing the mark as used in commerce on or in connection with any item in the class of listed goods and/or services, consisting of a(n) Screen Capture from website where mark is featured in yellow type at the bottom of large picture.

[Specimen File1](#)

For informational purposes only, applicant's website address is: www.avanzadolaw.com

The applicant's current Attorney Information:

Glenn Truitt of MyContractsGuy.com

PO Box 515381 #55395

Los Angeles, California 90051-6681

United States

The applicant's current Correspondence Information:

Glenn Truitt
MyContractsGuy.com
PO Box 515381 #55395
Los Angeles, California 90051-6681
310-403-0417(phone)
323-576-4555(fax)
glenn@mycontractsguy.com (authorized)

A fee payment in the amount of \$275 has been submitted with the application, representing payment for 1 class(es).

Declaration

The undersigned, being hereby warned that willful false statements and the like so made are punishable by fine or imprisonment, or both, under 18 U.S.C. Section 1001, and that such willful false statements, and the like, may jeopardize the validity of the application or any resulting registration, declares that he/she is properly authorized to execute this application on behalf of the applicant; he/she believes the applicant to be the owner of the trademark/service mark sought to be registered, or, if the application is being filed under 15 U.S.C. Section 1051(b), he/she believes applicant to be entitled to use such mark in commerce; to the best of his/her knowledge and belief no other person, firm, corporation, or association has the right to use the mark in commerce, either in the identical form thereof or in such near resemblance thereto as to be likely, when used on or in connection with the goods/services of such other person, to cause confusion, or to cause mistake, or to deceive; and that all statements made of his/her own knowledge are true; and that all statements made on information and belief are believed to be true.

Signature: /Glenn H Truitt/ Date Signed: 02/01/2011
Signatory's Name: Glenn H Truitt
Signatory's Position: Attorney of record, California bar member

RAM Sale Number: 8007
RAM Accounting Date: 02/02/2011

Serial Number: 85231879
Internet Transmission Date: Tue Feb 01 22:33:20 EST 2011
TEAS Stamp: USPTO/FTK-72.193.183.129-201102012233206
72428-85231879-480aaa0bfbc9c5a6d619a8fac
0321bf8-CC-8007-20110201214433243292

BIG FIRM
EXPERIENCE...SMALL FIRM
SERVICE

THE AVANZADO LAW FIRM

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The Avanzado Law Firm is a certified minority owned business enterprise.

Melvin N.A. Avanzado is an AV-rated trial lawyer.

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JABA/PABA 2011 INSTALLATION & AWARDS GALA
01.29.11

PHILIPPINE AMERICAN BAR ASSOCIATION
01.29.11

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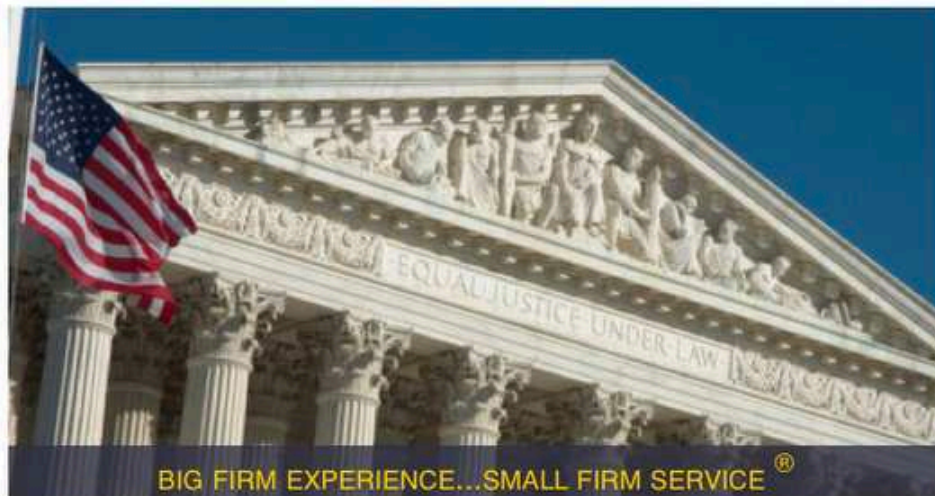
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United States of America

United States Patent and Trademark Office

BIG FIRM EXPERIENCE...SMALL FIRM SERVICE

Reg. No. 4,015,965

Registered Aug. 23, 2011

Int. Cl.: 45

SERVICE MARK

PRINCIPAL REGISTER

MELVIN N.A. AVANZADO (CALIFORNIA SOLE PROPRIETORSHIP), DBA THE AVANZADO
LAW FIRM
1880 CENTURY PARK EAST, SUITE 1404
LOS ANGELES, CA 90067

FOR: LITIGATION SERVICES, IN CLASS 45 (U.S. CLS. 100 AND 101).

FIRST USE 3-1-2008; IN COMMERCE 3-1-2008.

THE MARK CONSISTS OF STANDARD CHARACTERS WITHOUT CLAIM TO ANY PARTICULAR FONT, STYLE, SIZE, OR COLOR.

SER. NO. 85-231,879, FILED 2-1-2011.

MICHAEL WIENER, EXAMINING ATTORNEY



David J. Kyjars

Director of the United States Patent and Trademark Office

**REQUIREMENTS TO MAINTAIN YOUR FEDERAL
TRADEMARK REGISTRATION**

**WARNING: YOUR REGISTRATION WILL BE CANCELLED IF YOU DO NOT FILE THE
DOCUMENTS BELOW DURING THE SPECIFIED TIME PERIODS.**

Requirements in the First Ten Years*

What and When to File:

First Filing Deadline: You must file a Declaration of Use (or Excusable Nonuse) between the 5th and 6th years after the registration date. *See* 15 U.S.C. §§1058, 1141k. If the declaration is accepted, the registration will continue in force for the remainder of the ten-year period, calculated from the registration date, unless cancelled by an order of the Commissioner for Trademarks or a federal court.

Second Filing Deadline: You must file a Declaration of Use (or Excusable Nonuse) **and** an Application for Renewal between the 9th and 10th years after the registration date.*
See 15 U.S.C. §1059.

Requirements in Successive Ten-Year Periods*

What and When to File:

You must file a Declaration of Use (or Excusable Nonuse) **and** an Application for Renewal between every 9th and 10th-year period, calculated from the registration date.*

Grace Period Filings*

The above documents will be accepted as timely if filed within six months after the deadlines listed above with the payment of an additional fee.

**The United States Patent and Trademark Office (USPTO) will NOT send you any future notice or
reminder of these filing requirements.**

***ATTENTION MADRID PROTOCOL REGISTRANTS:** The holder of an international registration with an extension of protection to the United States under the Madrid Protocol must timely file the Declarations of Use (or Excusable Nonuse) referenced above directly with the USPTO. The time periods for filing are based on the U.S. registration date (not the international registration date). The deadlines and grace periods for the Declarations of Use (or Excusable Nonuse) are identical to those for nationally issued registrations. *See* 15 U.S.C. §§1058, 1141k. However, owners of international registrations do not file renewal applications at the USPTO. Instead, the holder must file a renewal of the underlying international registration at the International Bureau of the World Intellectual Property Organization, under Article 7 of the Madrid Protocol, before the expiration of each ten-year term of protection, calculated from the date of the international registration. *See* 15 U.S.C. §1141j. For more information and renewal forms for the international registration, see <http://www.wipo.int/madrid/en/>.

NOTE: Fees and requirements for maintaining registrations are subject to change. Please check the USPTO website for further information. With the exception of renewal applications for registered extensions of protection, you can file the registration maintenance documents referenced above online at <http://www.uspto.gov>.



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[BOTTOM](#) | [HELP](#)[Logout](#) Please logout when you are done to release system resources allocated for you.[Start](#) List At: OR [Jump](#) to record: **2 Records(s) found**
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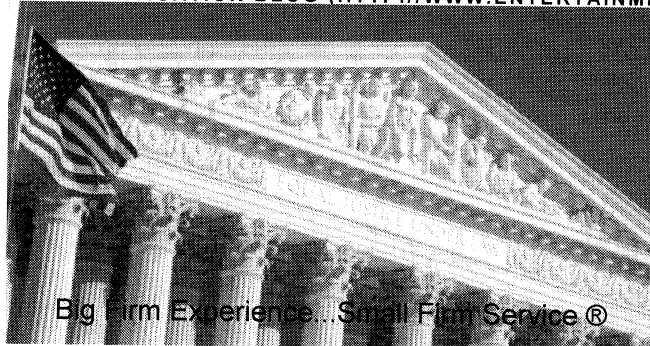
	Serial Number	Reg. Number	Word Mark	Check Status	Live/Dead
1	85231879	4015965	BIG FIRM EXPERIENCE...SMALL FIRM SERVICE	TSDR	LIVE
2	77613824	3642830	SMALL FIRM, BIG EXPERIENCE	TSDR	LIVE

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Big Firm Experience . . . Small Firm Service® The Avanzado Law Firm provides clients with a viable alternative to "big law" representation. We have the experience and skill which enables us to provide sophisticated representation on complex disputes which you would expect from larger firms but with the personal service and economic flexibility of a small firm. Our experience includes litigating aggressively to force an early resolution of a dispute, dispositive pretrial motions and jury trials. We can bring that wealth of experience to bear on any dispute to maximize the chances for a favorable result.

The Avanzado Law Firm has extensive experience in copyright, trademark, trade secret, publicity and other intellectual property disputes. Our [Entertainment & Sports Litigation Practice](#) ([/11-practice-areas/9-entertainment-litigation](#)) has provided us with experience representing production companies, television networks, motion picture studios, software companies and individuals in disputes over intellectual property rights and the infringement or licensing of such rights. We also counsel our clients before litigation is filed to assist in the protection of their intellectual property rights and ensure that any ensuing litigation is positioned for success.

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BIG FIRM EXPERIENCE...SMALL FIRM SERVICE

Word Mark	BIG FIRM EXPERIENCE...SMALL FIRM SERVICE
Goods and Services	IC 045. US 100 101. G & S: Litigation services. FIRST USE: 20080301. FIRST USE IN COMMERCE: 20080301
Standard Characters Claimed	
Mark Drawing Code	(4) STANDARD CHARACTER MARK
Serial Number	85231879
Filing Date	February 1, 2011
Current Basis	1A
Original Filing Basis	1A
Published for Opposition	June 7, 2011
Registration Number	4015965
Registration Date	August 23, 2011
Owner	(REGISTRANT) Melvin N.A. Avanzado DBA The Avanzado Law Firm Melvin N.A. Avanzado - U.S. Citizen SOLE PROPRIETORSHIP CALIFORNIA 1880 Century Park East; Suite 1404 Los Angeles CALIFORNIA 90067
Attorney of Record	Glenn Truitt

Small Firm, Big Experience Reg. No. 3642830

Subject: Small Firm, Big Experience Reg. No. 3642830
From: Kirstin Jahn <Kirstin@kmjlaw.com>
Date: 6/24/2014 12:36 PM
To: mel@avanzadolaw.com

Dear Mr. Avanzado,

Please see attached letter regarding the above trademark registration.

Sincerely,
Kirstin Jahn

Jahn & Associates, LLC
Intellectual Property Law
www.jahnlaw.com

Small Firm, Big Experience®

Colorado: 1942 Broadway Suite 314 Boulder, CO 80302 Tel: 303-545-5128 Fax: 303-545-5196

Nevada: 200 S. Virginia St. 8th Fl. Reno, NV 89501 Tel: 775-771-3462

This e-mail message is a confidential communication. If you have received this message in error, please immediately delete it. Thank you.

Attachments:

Avanzado law firm.pdf

37.1 KB

JAHN & ASSOCIATES, LLC

KIRSTIN M. JAHN

INTELLECTUAL PROPERTY LAW

Small Firm, Big Experience®

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Nevada
Colorado

COLORADO

1942 Broadway
Suite 314
Boulder, CO 80302
Tel: 303 545 -5128

NEVADA

200 S. Virginia Street
8th Floor
Reno, NV 89501
Tel: 775 771 3462

June 24, 2014

June 24, 2014

Melvin Avanzado
The Avanzado Law Firm
1880 Century Park East, Suite 1404
Los Angeles, CA 90067

Re: Small Firm, Big Experience Registration No. 3642830

Dear Mr. Avanzado:

Please be advised that my firm owns the above referenced trademark for use in connection with legal services. Since at least 2001, Jahn & Associates has been using that mark in marketing, advertising and on our website.

Recently, it came to my attention that your firm has received a registration on the trademark BIG FIRM EXPERIENCE... SMALL FIRM SERVICE for litigation services. Because your mark is very similar to mine, the services are the same and we market in the trade channels, and in the same territory, a significant potential for customer confusion exists between the two marks. Accordingly, at this time, we request that you cease and desist from use of your mark BIG FIRM EXPERIENCE... SMALL FIRM SERVICE and abandon your trademark registration.

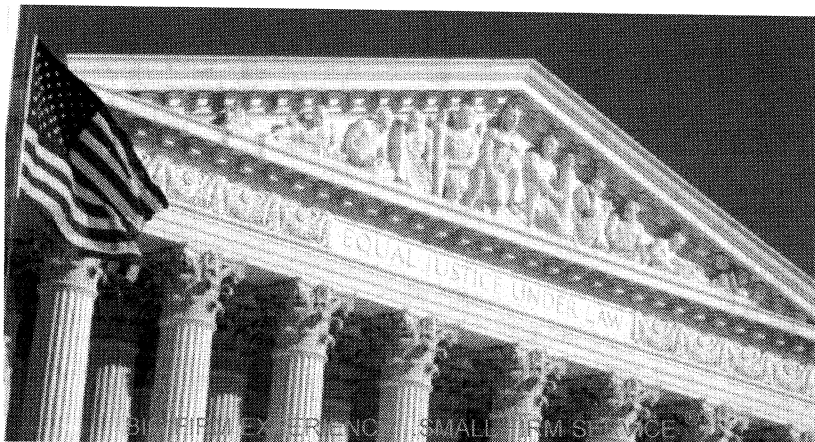
In view of the seriousness of this matter, we look forward to receiving your assurances that you will comply with our request within ten (10) days of the date of this letter. Please note that this is not a complete and exhaustive statement of our rights, claims, or intentions.

Sincerely,
JAHN & ASSOCIATES, LLC

s/Kirstin M. Jahn
Kirstin@jahnlaw.com

THE AVANZADO LAW FIRM

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Experience. Service. Flexibility. Creativity. The Avanzado Law Firm provides clients with the big firm experience and skills of a seasoned trial attorney with the service and flexibility that only a small firm can provide. The Avanzado Law Firm works closely with clients to ensure that strategies employed in any case are tailored to meet the clients' specific goals. We have the ability to litigate aggressively through all stages of any litigation including jury trials. However, we also have the experience and flexibility to develop cost-effective and creative strategies when the big firm "scorched Earth" strategy is unwarranted.

The Avanzado Law Firm is a certified minority owned business enterprise.

Melvin N.A. Avanzado is an AV-rated trial lawyer.

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EXHIBIT 9

In the Matter of the Cancellation for Registration of: BIG FIRM EXPERIENCE, SMALL FIRM SERVICE; Registration Number: 4015965; Filing Date: February 1, 2011.

V.
Melvin N.A. Avanzado
Respondent.

)
)
) **CANCELLATION NO 92060029**
)
) **PETITIONER'S RESPONSE**
) **TO RESPONDENT'S SECOND**
) **SET OF INTERROGATORIES**
)

GENERAL OBJECTIONS

1. Petitioner objects to each Request to the extent it seeks or calls for information protected by the attorney-client privilege and or protected by the work-product doctrine, or subject to any other applicable privilege.

2. Petitioner objects to each Request to the extent it seeks information that is neither relevant nor reasonably calculated to lead to the discovery of admissible evidence.

3. Petitioner objects to each Request to the extent it purports to call for information not in their possession, custody or control.

4. Petitioner objects to the definition of “you” and “your” as being overbroad,

unduly burdensome, vague and ambiguous.

5. Petitioner objects to each Request to the extent it seeks to impose requirements and/or obligations inconsistent with and in addition to, the Federal Rules of Civil Procedure, the Federal Rules of Evidence and/or Rules of this tribunal, and that are unduly burdensome and oppressive.

7. Discovery is continuing in this action. Petitioner reserves the right to supplement and amend its responses to these Requests based on, but not limited to, information subsequently discovered, inadvertently omitted, or mistakenly stated in these response.

RESPONSES TO INTERROGATORIES

INTERROGATORY NO. 13: STATE all YOUR damages which YOU claim were caused by AVANZADO's MARK

RESPONSE: Petitioner's mark has been diluted and weakened.

INTERROGATORY NO. 14: STATE all YOUR irreparable losses which YOU claim were caused by AVANZADO's Mark.

RESPONSE: Dilution, weakened mark.

INTERROGATORY NO. 15. STATE the circumstance under which YOU were admitted to practice law in California for SalesBrain v. Teligent case CV 13-00265 venued in the USDC, N. D. of California. RESPONSE: Petitioner was admitted Pro Hac Vice.

INTERROGATORY NO. 16: STATE the circumstance under which YOU were admitted to practice law in California for Atlantis Scientific v. Keyhole case venued in the USDC, N. D. of California.

RESPONSE: Petitioner was admitted Pro Hac Vice.

INTERROGATORY NO. 17: STATE the circumstance under which YOU were admitted to practice law in California for Atlantis Scientific v Keyhole case venued in the USDC, N. D. of California.

RESPONSE: Petitioner was admitted Pro Hac Vice.

INTERROGATORY NO. 18. STATE the circumstances under which you were approached to represent he plaintiff for SALESBRAIN v. TELIGENT case venued in the USDC, N. District of CALIFORNIA.

RESPONSE: Petitioner objects to this request on the basis that it calls for information protected by the attorney- client privilege and/or attorney work product doctrine.

INTERROGATORY NO. 19. STATE the circumstances under which you were approached to represent he plaintiff for SALESBRAIN v. ANGELVISION TECHNOLOGIES venued in the USDC, N. District of CALIFORNIA.

RESPONSE: Petitioner objects to this request on the basis that it calls for information protected by the attorney- client privilege and/or attorney work product doctrine.

INTERROGATORY NO 20. STATE the circumstances under which you were approached to represent he plaintiff for ATLANTIS SCIENTIFIC v. KEYHOLE venued in the USDC, N. District of CALIFORNIA.

RESPONSE: Petitioner objects to this request on the basis that it calls for information protected by the attorney- client privilege and/or attorney work product doctrine.

INTERROGATORY NO 21. STATE in detail the instances of the alleged actual confusion between AVANZADO's MARK and PLAINTIFF's MARK.

RESPONSE: Petitioner is unaware at this time of any actual confusion between AVANZADO's MARK and PLAINTIFF's MARK at this time.

INTERROGATORY NO. 22. State all facts and identify all evidence on which you rely to support your contention of the alleged actual confusion between AVANZADO's MARK and PLAINTIFF's Mark.

RESPONSE. Petitioner is unaware at this time of any actual confusion between AVANZADO's MARK and PLAINTIFF's MARK at this time.

INTERROGATORY NO 23. STATE all facts and identify all evidence on which you rely to support your contention of the alleged likelihood of confusion between AVANZADO's MARK and PLAINTIFF'S MARK.

RESPONSE. Petitioner objects to this request on the basis that it calls for a legal argument and conclusion. Subject to that objection: The marks look the same, sound the same and have the same meaning. The trade channels are the same. The services are the same. Petitioner's mark is a strong mark, or was, at least before Respondent entered the market.

INTERROGATORY NO. 24 Identify all customers or potential customers of YOU who have expressed any question, concern or comment regarding any affiliation between YOU and AVANZADO.

RESPONSE: Petitioner objects to this request on the basis that it calls for information protected by the attorney- client privilege and/or attorney work product doctrine.

Petitioner is unaware of any current customers who have expressed any question, concern or comment regarding any affiliation between Petitioner and Respondent.

Dated: June 3, 2014

JAHN & ASSOCIATES, LLC

s/Kirstin M. Jahn
Kirstin M. Jahn
Petitioner

CERTIFICATE OF MAILING

I hereby certify that this correspondence is being emailed on June 3, 2014 (PST)
to the email address below and mailed on June 4, 2014 by United States Post Office
with sufficient postage as first-class mail in an envelope addressed to:

Elaine@avanzadolaw.com

Melvin N.A. Avanzado
1880 Century Park East
Suite 1100
Los Angeles, CA 90067

s/Kirstin M. Jahn
Kirstin M. Jahn

EXHIBIT 10

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE
BEFORE THE TRADEMARK TRIAL AND APPEAL BOARD

In the Matter of the Cancellation for Registration of: BIG FIRM EXPERIENCE, SMALL FIRM SERVICE; Registration Number: 4015965; Filing Date: February 1, 2011.

Jahn & Associates, LLC
Petitioner

v.

Melvin N.A. Avanzado
Respondent.

)
)
) **CANCELLATION NO 92060029**
)
) **PETITIONER'S RESPONSE**
) **TO RESPONDENT'S SECOND**
) **SET OF REQUESTS FOR**
) **PRODUCTION**

Pursuant to 37 C.F.R. § 2.120 and Rule 34 of the Federal Rules of Civil Procedure, Petitioner, hereby responds Respondent's First Set of Requests for Production of Documents as follows:

GENERAL OBJECTIONS

Petitioner makes the following General Objections in response to each Request for Production.

1. Petitioner objects to each Request to the extent it seeks or calls for information protected by the attorney-client privilege and or protected by the work-product doctrine, or subject to any other applicable privilege.

2. Petitioner objects to each Request to the extent it seeks information that is neither relevant nor reasonably calculated to lead to the discovery of admissible evidence.

3. Petitioner objects to each Request to the extent it purports to call for information not in their possession, custody or control.

4. Petitioner objects to the definition of “you” and “your” as being overbroad, unduly burdensome, vague and ambiguous.

5. Petitioner objects to each Request to the extent it seeks to impose requirements and/or obligations inconsistent with and in addition to, the Federal Rules of Civil Procedure, the Federal Rules of Evidence and/or Rules of this tribunal, and that are unduly burdensome and oppressive.

7. Discovery is continuing in this action. Petitioner reserves the right to supplement and amend its responses to these Requests based on, but not limited to, information subsequently discovered, inadvertently omitted, or mistakenly stated in these response.

RESPONSES TO REQUESTS FOR PRODUCTION

Request No. 31: All Documents that support Your contention in Your petition for cancellation that Avanzado’s Mark caused or causes “actual confusion in the marketplace.

RESPONSE: Petitioner objects to this request on the basis that it misrepresents the allegations in the Petition for Cancellation. The petition does not contain language stating “that Avanzado’s Mark caused or causes ‘actual confusion in the marketplace.’

Request No. 32: All Documents that support Your contention in Your petition for cancellation that AVNZADO’S MARK caused YOU to suffer irreparable loss.

RESPONSE: Petitioner further objects to this request on the basis that it calls for information protected by the attorney- client privilege and/or attorney work product doctrine. Subject to these objections, relevant, non-privileged, non-work product

documents, if any exist, will be produced.

Request No. 33: All Documents that support Your contention in Your petition for cancellation that AVNZADO'S MARK caused YOU to suffer damages. Petitioner objects to this request on the basis that it calls for information protected by the attorney-client privilege and/or attorney work product doctrine. Subject to these objections, relevant, non-privileged, non-work product documents, if any exist, will be produced.

Dated: June 3, 2015

JAHN & ASSOCIATES, LLC

S/Kirstin M. Jahn

Kirstin M. Jahn
Petitioner

CERTIFICATE OF MAILING

I hereby certify that this correspondence is being deposited on June 3, 2015 by
United States Post Office with sufficient postage as first-class mail in an envelope
addressed to:

Melvin N.A. Avanzado
1880 Century Park East
Suite 1100
Los Angeles, CA 90067

S/Kirstin M. Jahn

Kirstin M. Jahn

PROOF OF SERVICE

I am employed in the County of Los Angeles, State of California. I am over the age of 18 years and am not a party to the within action. My business address is 1880 Century Park East, Suite 1100, Los Angeles, California 90067. On the date set forth below, I caused the foregoing document(s) described as

EXHIBIT 8-10 TO THE DECLARATION OF RESPONDENT AND DEFENDANT MELVIN N.A. AVANZADO IN SUPPORT OF AVANZADO'S MOTION FOR SUMMARY JUDGMENT


to be served on the interested parties in this action as follows by placing

☐ the original ☒ a true copy thereof enclosed in sealed envelopes addressed as stated below:

Kirstin M. Jahn
Jahn & Associates, LLC
1942 Broadway, Suite 314
Boulder, Colorado 80304
<kirstin@jahnlaw.com>

- ☐ **BY MAIL:** I sealed and placed such envelope for collection and mailing to be deposited in the mail on the same day in the ordinary course of business at Los Angeles, California. The envelope was mailed with postage thereon fully prepaid. I am readily familiar with this firm's practice of collecting and processing correspondence for mailing. It is deposited with the U.S. Postal Service on that same day in the ordinary course of business.
- ☐ **BY OVERNIGHT COURIER:** I caused such envelope to be placed for collection and delivery on this date in accordance with standard _____ delivery procedures.
- ☐ **BY FAX:** In addition to service by mail, I transmitted a copy of the foregoing document(s) this date via telecopier to the facsimile numbers shown above.
- ☒ **BY ELECTRONIC MAIL:** I personally delivered such envelope by electronic mail to the addressee(s) shown above.
- ☐ **BY PERSONAL SERVICE:** I personally delivered such envelope by hand to the addressee(s) shown above.
- ☐ [State] I declare under penalty of perjury under the laws of the State of California that the above is true and correct.
- ☒ [Federal] I declare that I am employed in the office of a member of the Bar of this Court at whose direction the service was made. I declare under penalty of perjury that the foregoing is true and correct.

Executed on April 22, 2016 at Los Angeles, California.



Elaine W. Yu